

**UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: MASON EUGENE BREINER-MYERS  
AKA: MASON EUGENE MYERS,  
MASON EUGENE BREINER

CHAPTER 13

Debtor(s)  
JACK N. ZAHAROPOULOS  
CHAPTER 13 TRUSTEE  
Movant

CASE NO: 1-20-02760-HWV

vs.  
MASON EUGENE BREINER-MYERS  
etal

Respondent(s)

**TRUSTEE'S MOTION TO DISMISS CASE**

AND NOW, on December 21, 2021, comes Jack N. Zaharopoulos, Standing Chapter 13 Trustee, by and through his attorney Agatha R. McHale, Esquire, and respectfully represents the following:

1. An Amended Plan was filed on March 26, 2021.
2. A hearing was held and an Order was entered on September 22, 2021 directing that an amended plan be filed within sixty (60) days.
3. As of the date of this Motion, an amended plan has not been filed.
4. The delay in filing a confirmable plan in this case is prejudicial to creditors.

WHEREFORE, your Trustee respectfully requests your Honorable Court dismiss the case upon the basis that Debtors have failed to propose a confirmable plan.

Respectfully submitted,

/s/ Agatha R. McHale, Esq. \_\_\_\_\_

Id: 47613

Attorney for Movant

Jack N. Zaharopoulos

Standing Chapter 13 Trustee

Ste. A, 8125 Adams Drive

Hummelstown, PA 17036

Ph. 717-566-6097

Fax. 717-566-8313

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AKA: MASON EUGENE MYERS,  
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CHAPTER 13

Debtor(s)

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CHAPTER 13 TRUSTEE  
Movant

CASE NO: 1-20-02760-HWV

**NOTICE**

NOTICE IS HEREBY GIVEN that Jack N. Zaharopoulos, Standing Chapter 13 Trustee for the Middle District of Pennsylvania has filed a Motion to Dismiss for failure to file a confirmable Chapter 13 Plan.

YOU ARE HEREBY NOTICED that a hearing has been scheduled on this matter for:

Ronald Reagan Federal Bldg  
Bankruptcy Courtroom, 3rd Floor  
228 Walnut Street  
Harrisburg, PA 17101

Date: January 26, 2022

Time: 09:35 AM

Any objection or response filed must be filed with the Clerk, U.S. Bankruptcy Court and served on the Chapter 13 Trustee.

/s/ Agatha R. McHale, Esquire

ID: 47613

Attorney for Movant

Jack N. Zaharopoulos

Standing Chapter 13 Trustee

8125 Adams Drive, Suite A

Hummelstown, PA 17036

Phone: (717) 566-6097

email: [info@pamd13trustee.com](mailto:info@pamd13trustee.com)

Dated: December 21, 2021

**UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: MASON EUGENE BREINER-MYERS  
AKA: MASON EUGENE MYERS, MASON EUGENE BREINER CHAPTER 13

Debtor(s)  
JACK N. ZAHAROPOULOS  
CHAPTER 13 TRUSTEE  
Movant  
MASON EUGENE BREINER-MYERS et al

CASE NO: 1-20-02760-HWV

Respondent(s)

**CERTIFICATE OF SERVICE**

I certify that I am more than 18 years of age and that on December 21, 2021, I served a copy of this Motion to Dismiss, Notice and Proposed Order on the following parties by 1<sup>st</sup> Class mail from Hummelstown, PA, unless served electronically.

Served electronically

PAUL MURPHY-AHLES ESQUIRE  
DETHLEFS, PYKOSH & MURPHY  
2132 MARKET STREET  
CAMP HILL PA 17011-

United States Trustee  
228 Walnut Street  
Suite 1190  
Harrisburg, PA 17101

Served by 1<sup>st</sup> Class Mail

MASON EUGENE BREINER-MYERS  
531 ABERDEEN RD  
ELIZABETHTOWN, PA 17022-9450

I certify under penalty of perjury that the foregoing is true and correct.

Date: December 21, 2021

Respectfully,  
/s/ Vickie Williams  
for Jack N. Zaharopoulos,  
Standing Chapter 13 Trustee  
Suite A, 8125 Adams Dr.  
Hummelstown, PA 17036  
Phone: (717) 566-6097  
email: [info@pamd13trustee.com](mailto:info@pamd13trustee.com)

**UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE:        MASON EUGENE BREINER-MYERS  
              AKA: MASON EUGENE MYERS, MASON        CHAPTER 13  
              EUGENE BREINER

CASE NO: 1-20-02760-HWV

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Respondent(s)

**ORDER DISMISSING CASE**

Upon consideration of the Trustee's Motion to Dismiss, it is hereby Ordered that the above-captioned bankruptcy be and hereby is dismissed. The Court retains jurisdiction to rule on any timely filed fee application.